

AGENDA

**SPECIAL MEETING
BOARD OF COMMISSIONERS
315 WEST SECOND STREET
FRANKFORT, KY 40601
(502) 875-8500**

**JANUARY 20, 2005
5:30 P.M. (EST)**

**1. INVOCATION
ROLL CALL
MINUTES**

Reverend Jackson Brewer, First United Methodist Church

December 20, 2004 Regular Meeting, January 4, 2005 Swearing-In Ceremony,
January 4, 2005 Work Session, January 10, 2005 Work Session

**MAYOR'S REPORT
2 CEREMONIAL ITEMS
3 ORDINANCES**

- 3.1 **SECOND READING:** An Ordinance annexing into the Corporate limits of the City of Frankfort, Kentucky, a 13.986 tract of land lying along Highway 127 North in Franklin County, Kentucky adjacent to the present boundaries of the City.

Purpose: The purpose of this item is to consider an ordinance to approve annexing into the Corporate limits of the City of Frankfort, Kentucky a 13.986 acre tract of land lying along Highway 127 North in Franklin County, Kentucky adjacent to present boundaries of the City.

Background: On October 13, 2003, the above referenced tract of land was donated to the City of Frankfort by Carter Properties, L.L.C. in conjunction with development of the Cove Springs Park/Nature Preserve. In accord with the Grant Agreement between the City of Frankfort (City) and the Kentucky Heritage Land Conservation Fund Board (KHLCFB) developing the Cove Spring Nature Preserve, the City executed a Deed of Conservation Easement with KHLCFB on April 22, 2004. The City Parks and Recreation Department is developing the tract as part of the wetland area for the Cove Spring Park/Nature Preserve.

Recommendation: Approval

Attachments: Ordinance
Annexation Description
Copy of Deed

Contact Person
Name: Steve Brooks
Title: Director
Department: Parks and Recreation
Phone: (502) 352-2029
E-mail: sbrooks@fewpb.com

- 3.2 **SECOND READING:** An Ordinance accepting Moore Drive into the City street system.

Purpose: The purpose of this item is to consider an ordinance to accept Moore Drive into the city street system for maintenance. Moore Drive was approved and constructed in 1999 and has been used by the public since that time. The street has been inspected and any deficiencies noted have been corrected. The street meets the requirements that were specified at the time of approval. Approval of the ordinance to accept the street will complete the official action required for acceptance into the city street system.

Recommendation: Approval

Attachments: Ordinance
Request letter dated 11/5/04

Contact Person

Name: Jeff Hackbart
Title: Director
Department: Public Works
Phone: (502) 875-8563
E-mail: jhackbrt@fewpb.com

- 3.3 **FIRST READING:** An Ordinance to Amend **Ordinance No. 8, 1983 series**, by amending Article 4 Permitted Uses, Section 4.01 – Use Table; and by amending Article 12 – Minimum Off Street Parking Requirements, Section 12.02 – Table Of Required Parking.

Purpose: To amend the City's Zoning ordinance as recommended by the Frankfort/Franklin County Planning Commission and the Zoning Update Committee to permit non-profit organizations within the Industrial Commercial (IC) zoning district and to amend the parking standards for Auto Sales.

Background: On September 29, 2004, the Zoning Update Committee met and discussed Zoning ordinance text amendments. The following two items were accepted to be processed at the next available Planning Commission meeting.

The first is to allow non-profit organizations as permitted uses within the IC zoning district.

The second is to amend the parking requirements for auto sales. Specifically to amend from 1.25 parking spaces per 1000 square feet of land and building to a minimum of 5 spaces or 1.25 spaces per 1,000 square feet of building, whichever is more, excluding repair and service areas (these areas would provide parking based on this other use).

On December 9, 2004, the Frankfort/Franklin County Planning Commission unanimously (11-0) adopted the staff report as the summary of findings and unanimously approved to recommend the City of Frankfort's Board of Commissioners to approve the proposed text amendment.

Attached is the report submitted to the Planning Commission with the proposed text with strikeout text for removal and underline text for new text that is proposed within the Zoning Ordinance.

Recommendation: Approval

Attachments:

- The minutes from the Public Hearing by the Frankfort/Franklin County Planning Commission. **(to be provided when complete)**
- Planning Commission report dated November 29, 2004.

Contact Person

Name: Gary Muller
Title: Planning and Building Codes Director
Department: Planning
Phone: 875-8513
Email: gmuller@fewpb.com

- 3.4 **FIRST READING:** An Ordinance amending **Ordinance No 3, 2003 Series**, relating to fixing the time and place of the meetings of the Board of Commissioners.

Purpose: The purpose of this Ordinance is to fix the time and place of the meetings of the Board of Commissioners.

Background: The Board of Commissioners finds it necessary to increase the number of meetings per month and change the meeting times to conduct the City's business. This Ordinance increases the number of monthly work sessions to two, with three meetings total scheduled. The work sessions will be held on the first Tuesday and third Thursday of each month, and the regular meeting will be held on the Thursday following the first Tuesday work session. All meetings will begin at 5:30 pm. The first Tuesday work session will be deemed a "single issue" work session, the purpose of which to give in-depth consideration and study to a particular issue.

Recommendation: Approval

Attachment: Ordinance

Contact Person

Name: Tony Massey
Title: City Manager
Department: City Manager
Phone: 875-8500
Email: Amassey@fewpb.com

4. ORDERS

- 4.1 "An Order Authorizing the Filing of an Application with the Department of Transportation, United States of America, for a Grant under the Federal Transit Act of 1964, as amended." (Public Works Department).

Purpose: The purpose of this item is to adopt an order authorizing the Mayor to file an application with the U.S. Department of Transportation for a 5311 Grant under the Federal Transit Act.

Background: This order must be adopted each year in order to apply for a Section 5311 Grant. This Order authorizes the Mayor to execute and file on behalf of the City an application with the U.S. Department of Transportation for a Section 5311 Grant which provides operating and administrative assistance to the City's Public Transit System.

Recommendation: Approval.

Attachments: Order.

Contact Person

Name: Jeff Hackbart
Title: Director
Department: Public Works
Phone: (502) 875-8565
E-mail: jhackbrt@fewpb.com

4.2 "An Order Committing the Local Share of Funds Necessary to Secure a Section 5311 Grant Application." (Public Works Department).

Purpose: The purpose of this item is to adopt an order committing the City's share of funds to obtain a Section 5311 Grant and assure the operation of the transit service for a minimum of five years.

Background: This order must be adopted each year in order to apply for a Section 5311 Grant. The Section 5311 Grant request will be in the amount of \$360,000, in which the City is obligated to cover 50% (\$180,000) of the operating expense and the Federal Government will pay 50% (\$180,000). The City is also to assure the operation of the transit service for a minimum of five years.

Recommendation: Approval.

Attachments: Order.

Contact Person

Name: Jeff Hackbart
Title: Director
Department: Public Works
Phone: 502-875-8565
E-mail: jhackbrt@fewpb.com

5. RESOLUTIONS

5.1 Resolution Creating a Code Enforcement Task Force. (Planning Department)

Purpose: The purpose of this item is to consider a resolution creating the Code Enforcement Task Force. The special task force will be charged with making recommendations concerning the City's Property Maintenance Code and the City's Code Enforcement process.

Background: This task force is the result of a special work session held on January 10, 2005 by the Board of Commissioners.

The purpose of the task force is to define the city's purpose in having a code enforcement program, identify the city's focus, and improve the city's code enforcement efforts.

The task force will need to discuss the existing Property Maintenance Code and its place in Frankfort's Code Enforcement Program. From these discussions, the task force should recommend changes to the Code, changes to the Code enforcement process, the role of affected City departments, and suggestions for improving communications and sharing responsibilities for code enforcement.

Recommendation: Approval

Attachments: Resolution

Contact Person

Name: Gary Muller
Title: Planning Director
Department: Planning and Building Codes
Phone: 875-8513
Email: gmuller@fewpg.com

6. CONSENT CALENDAR

Items on the Consent Calendar are considered to be routine by the Board of Commissioners and will be enacted by one motion and one vote. There will be no separate discussion of these items unless a Board member so requests, in which event the item will be removed from the Consent Calendar and considered separately. The City Manager will read the items recommended for approval.

6.1 Authorization to award a contract to Secure Concepts, Inc. for installation of a security system for City Hall. (Fire Department)

Purpose: The purpose is to authorize the award of a contract to Secure Concepts, Inc for installation of a security system for City Hall.

Background: Presently there exists virtually no security or access control to City Hall. Secure Concepts, Inc. will furnish and install a secured access entry system on five doors, access I.D. cards, control panel monitor, a digital video recorder and surveillance cameras at each door, in the parking lots, and in the Finance Department. The card reader system will be fully compatible with the system being considered for the Sewer Department. Funds were budgeted for building security in FY 2003/2004 and the balance of those funds in account # 100.00.22058 is \$53,900.00. This amount will cover the majority of the system costs and will complete Phase I of the total installation. Additional funding for Phase II will need to be budgeted in FY 2005/2006, anticipated to be approximately \$10,000-15,000. The system can be installed and operational within 45/60 days of the contract award.

Secure Concepts, Inc. is under state contract number C-01318899

Financial Analysis: Funding is available in the Capital Improvement Account 100.00.22058.

Recommendation: Approval

Attachments: Proposals from Secure Concepts, Inc.

Contact Person

Name: Wallace Possich
Title: Fire Chief
Dept.: Fire
Phone: 502-875-8511
E-Mail: wpossich@fewpb.com

6.2 Authorization to award a contract to Sullivan Environmental Technologies, Inc. for complete replacement of the drive unit assembly for Clarifier No. 1 (Sewer Department)

Purpose: The purpose of this item is to consider a contract award to Sullivan Environmental Technologies, Inc. to provide materials and labor for the complete replacement of the drive unit assembly. At the same time the drive is being replaced, the clarifier will be rebuilt and algae sweeps will be installed on the clarifier.

Background: The existing clarifiers are over 24 years old. This system has a design life of 20 years and has been operating continuously 24 hour per day since startup. In October 2004 the drive in Clarifier No. 1 began losing lubricant. Upon careful inspection, it was determined that the seals have deteriorated with time and continuous usage. Total cost of replacing the drive is \$47,321. The drive from Clarifier No. 1 will be rebuilt and used during the next clarifier rebuild.

Sullivan Environmental Technologies is the regional distributor for EIMCO Water Technologies, which is the sole source provider for the clarifier manufacturer. At the same time that the drive is being replaced, the Department is proposing to install algae sweeps as a safety modification. The reason for doing both projects concurrently is that the entire bridge assembly and associated appurtenances have to be removed by the contractor for both projects.

Ford Hall is the supplier of the proposed algae sweeps, which is a patented process, no other suppliers are available. Regular weekly cleaning (the manufacturer recommends daily cleaning) of the clarifiers requires an employee to physically stand in the trough of the clarifier to scrub the algae off the concrete, which is extremely slick due to the algae buildup. The installation of the sweeps will eliminate the need for an employee to enter the clarifier, thereby eliminating a potential slip hazard. If the clarifiers are not cleaned regularly, the Total Suspended Solids (TSS) limit on our discharge permit will be exceeded resulting in a Notice of Violation.

If the algae sweeps are installed during the drive replacement, the cost for installing the algae sweeps is \$30,060 for a total project cost of \$77,381. If installation of the algae sweeps is deferred to a later date the cost for installation is \$34,740 for a total project cost of \$82,081 or an additional \$4,700. In the 10-year plan, the Department had programmed a project to begin rebuilding all four clarifiers in approximately three years. Based upon the failure of the seals in Clarifier No. 1, the Department will program a rebuild of a clarifier drive each year for the next three years.

Financial Analysis: Funding is available in account 300.68.56550.

Recommendation: Approval

Attachments: Proposal from Sullivan Environmental Technologies, Inc.

Contact Person

Name: William R. Scalf, Jr., PE
Title: Director
Department: Sewer
Phone: 875-2448
Email: wscalf@fewpb.com

6.3 Authorization to award a contract extension to FMSM Engineers for Geographic Information Systems (GIS) Support for the City of Frankfort. (Sewer Department)

Purpose: The purpose of this item is to consider a contract extension with FMSM Engineers for additional Services associated collection of GIS data to populate the database for the sanitary sewer system.

Background: The Sewer Department has agreed to develop a GIS mapping system as part of our Sanitary Sewer Overflow Plan (SSOP) on file the Kentucky Division of Water. In October 2004 the City of Frankfort awarded a contract to FMSM for GIS support for the City. This contract has a \$50,000 cap and was intended for miscellaneous support.

The Sewer Department has completed populating the database in our Basins 1, 2, 3, and 4 and a portion of Basin 9 (Holmes Street Corridor). This contract will authorize FMSM to complete data collection in Basin 9 and all of Basin 8. Upon completion of this work, the Department will have the entire east side of Frankfort mapped to the wastewater treatment plant.

Total cost for this proposed contract extension is \$100,500, broken down at \$59,000 for Basin 9 and \$41,500 for Basin 8. This will extend the contract ceiling to \$150,500.

Financial Analysis: Funds are available in account 300.68.56550

Recommendation: Approval

Attachments: Proposal from FMSM for Basin 8
Proposal from FMSM for Basin 9

Contact Person

Name: William R. Scalf, Jr., PE
Title: Director
Department: Sewer
Phone: 875-2448
Email: wscalf@fewpb.com

6.4 Authorization to award a contract extension with FMSM Engineers for Engineering Services associated with the redesign of the Ewing Street Force Main crossing of Benson Creek. (Sewer Department)

Purpose: The purpose of this item is to consider a contract extension with FMSM Engineers for additional Engineering Services associated with modification of the design of the Ewing Street Force Main replacement across Benson Creek due to the most recent force main break.

Background: In October 2003 the Sewer Department discovered a broken force main in Benson Creek from the Ewing Street Pump Station. An emergency contract was awarded to FMSM Engineers to inspect and evaluate the extent of the break. As part of this contract, FMSM assisted the Department in evaluating and implementing alternatives to maintaining flow until the temporary replacement pipe was designed and constructed. In November 2003 a contract was awarded to FMSM Engineers for permitting, geotechnical exploration, and design of the permanent replacement force main. In January 2004 an additional contract was awarded to FMSM Engineers to perform underwater inspections of the remaining crossings in the Kentucky River. In November an additional contract extension was awarded for bidding assistance, scope changes, construction administration and the evaluation of the feasibility of relocating the Capital Avenue Force Main.

In early November of 2004 we experienced another break in the asbestos cement force main, this time the break was within the right-of-way of the railroad and Taylor Avenue. This contract extension is for additional design and permitting associated with extending the replacement project to the opposite side of the railroad tracks and extending past the railroad right-of-way. The total cost to date including this contract extension is as follows:

October 2003	\$ 33,050	Underwater inspection of the broken force main
November 2003	\$ 40,244	Permitting, Geotechnical, & Design
January 2004	\$ 28,075	Inspection of the Kentucky River Crossings
November 2004	\$ 47,185	Bidding assistance, Construction Admin., & Scope Changes
January 2005	\$ <u>9,010</u>	Additional permitting and design fees (Proposed)
	\$157,564	

Financial Analysis: Funds are available in account 300.68.56550

Recommendation: Approval

Attachments: Scope of Services

Contact Person

Name: William R. Scalf, Jr., PE
 Title: Director
 Department: Sewer
 Phone: 875-2448
 Email: wscalf@fewpb.com

6.5 Authorization to award engineering contract for the design of the liquid oxygen ozone generating system at the Wastewater Treatment Plant. (Sewer Department)

Purpose: The purpose of this item is to consider awarding a contract to an engineering firm to design the replacement liquid oxygen ozone generating system.

Background: The existing ozone generating system is over 24 years old. This system has a design life of 20 years and the Department is experiencing increased operational costs and downtime due the system age. Failure of this component of our treatment process will result in the inability of the Department to meet our Permit Discharge Limits. In addition, the existing ozone system is a large energy consumer. Project payback, based on energy savings, is estimated at 6 to 8 years.

In November 2004 the Sewer Department solicited qualifications from engineering firms and received Statements of Qualifications (SOQs) from 7 firms. A panel of 3 Department employees reviewed the SOQs and scored the submittals. Based upon that review, four firms were short-listed for interviews. Interviews were held on January 6 with four representatives from the City of Frankfort. Based on the presentations and responses to questions, the four members interviewing the firms unanimously recommend that the project be awarded to Jordan Jones and Goulding. The initial contract will have a not-to-exceed limit of \$100,000 (approximately 6 percent of the projected project cost).

Financial Analysis: Funds are available in account 300.68.56550.

Recommendation: Approval

Attachments: Point Summary for Ozone Consultant.

Contact Person

Name: William R. Scalf, Jr., PE
 Title: Director
 Department: Sewer
 Phone: 875-2448

Email: wscalf@fewpb.com

- 6.6 Authorization to enter into a Statewide Mutual Aid Agreement with the Commonwealth of Kentucky to provide assistance to other jurisdictions of the state as needed for emergencies and disasters. (Fire Department)

Purpose: To consider entering into an agreement with the Commonwealth of Kentucky to provide assistance to other jurisdictions of the state as needed for emergencies and disasters.

Background: To be eligible for any future Federal or State grant funding and/or federal disaster relief reimbursements, public safety (Police, Fire, and EMS) and emergency management agencies and governmental entities must adopt the National Incident Management System per Presidential Directive (HSPD)-5. Frankfort is one of the few remaining jurisdictions in the state that has not signed the statewide assistance agreement. The agreement will also eliminate the need to enter into separate mutual aid agreements with individual surrounding localities. This agreement provides a provision for reimbursement of expenses by the recipient of the assistance. It also provides for indemnity of each party of the agreement. The City Solicitor has reviewed and approved the agreement.

Recommendation: Approval

Attachments: Cover letter from City Solicitor Rob Moore
Commonwealth of Kentucky Statewide Emergency Management Mutual Aid and Assistance Agreement.

Contact Person

Name: Wallace Possich
Title: Fire Chief
Dept.: Fire
Phone: 502-875-8511
E-Mail: wpossich@fewpb.com

- 6.7 Authorization to award a contract to Secure Concepts, Inc. for installation of a new security gate with Access Control Card Reader and associated equipment at the wastewater treatment plant. (Sewer Department)

Purpose: The purpose of this item is to award a contract to Secure Concepts, Inc. for installation of a new security gate with Access Control Card Reader at the wastewater treatment plant.

Background: Access to the wastewater treatment currently is not controlled. This contract will provide access control to all visitors to the plant and allow the plant operators or other plant personnel after normal working hours to identify visitors via video camera prior to admittance. The security gate will be open during normal working hours and closed during all other hours. The Card Reader for the new security gate will be fully compatible with the system being installed at City Hall. This will be phase 1 of a 2-phase security upgrade. Money is being programmed into the 2005-2006 Budget to complete the security upgrade. Total installed cost of Phase 1 is \$48,459. Estimated cost of Phase II is \$50,000.

Secure Concepts Inc., under their State Master Agreement Number C-01318899, will be performing the work.

Financial Analysis: Funding is available in account 300.68.56550.

Recommendation: Approval

Attachments: Proposals from Secure Concepts, Inc.

Contact Person

Name: William R. Scalf, Jr., PE
Title: Director
Department: Sewer
Phone: 875-2448
Email: wscalf@fewpb.com

- 6.8 Authorization to replace the roof at 407 Broadway, Division of Historic Sites, Parks and Recreation Department.

Purpose: To replace the roof for the Division of Historic Sites, Department of Parks and Recreation, located at 407 Broadway.

Background: The Division of Historic Sites Building has a flat rubber roof and poor gutter system, which is causing the building to leak. It has been recommended by Architect David Banks to replace the roof with a Genflex System.

Financial Analysis: The low proposal was \$19,750 (with additional costs possible for wood and insulation). Requesting Contingency funds, account No. 95-53295.

Recommendation: Approval.

Attachments: Proposals

Contact Person:

Name: Steve Brooks
Department: Parks and Recreation
Title: Director
Phone: 502/875-8575
E-mail: Sbrooks@fewpb.com

- 6.9 Personnel

<u>Personnel Action</u>	<u>Employee</u>	<u>Effective Department</u>	<u>Date</u>	<u>Other</u>
Confirmation	Jason Monroe	Fire Dept.	1/27/05	Firefighter/Paramedic,

*Conditional Offer of Employment

Joel K. Dunmire Patrol Officer

Contingent upon successful completion of physical, psychological, polygraph and drug screen examinations.

*Conditional Offer of Employment

Eric G. Simpson Firefighter Recruit
Jared S. Meyer Firefighter Recruit
Jason S. Parido Firefighter Recruit
Brad A. Durr Firefighter Recruit
Dale S. Southworth Firefighter Recruit

Steven S. Flora Firefighter Recruit
*Contingent upon successful physical exam

7. BOARD APPOINTMENTS

None

8. OLD BUSINESS

None

9. NEW BUSINESS

None

10. CITIZEN COMMENTS (Non-agenda items)

11. COMMISSIONER COMMENTS

12. ADJOURNMENT